

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DUSTY GENE MAYHEW,

Defendant.

**8:14CR113**

**ORDER**

Defendant Dusty Gene Mayhew appeared before the court on February 28, 2018 on a Second Amended Petition for Offender Under Supervision [50]. The defendant was represented by Assistant Federal Public Defender Karen M. Shanahan, and the United States was represented by Assistant U.S. Attorney Lecia E. Wright. Through his counsel, the defendant waived his right to a probable cause hearing on the Second Amended Petition for Offender Under Supervision [50] pursuant to Fed. R. Crim. P. 32.1(a)(1). The government moved for detention. The defendant waived his right to a detention hearing upon coming into federal custody. Since it is the defendant's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger, the court finds the defendant has failed to carry his burden and that he should be detained pending a dispositional hearing before Senior Judge Bataillon.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before Senior Judge Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on April 6, 2018 at 10:00 a.m. Defendant must be present in person.
2. The defendant, Dusty Gene Mayhew, is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;
3. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 1st day of March, 2018.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge